IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO :22660 of 2003

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Dated: 6th March 2006.

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Between:

Regional Joint Director of School Education, Warangal and others

..... PETITIONERS

AND

Abdul Ghany Khan and others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

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W.P.NO.22660 OF 2003

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ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

It is submitted by the learned Advocate General that the issue involved in the present writ petition is squarely covered by an earlier common unreported judgment of this Court in Writ Petition No.14064 of 2002 and batch dated 31st January 2006.

The learned counsel for the respondents does not dispute the said submission.

In the circumstances, present writ petition is disposed of with the direction as was given in the abovementioned common judgment, the operative portion of which reads as follows:

> "However, it is brought to our notice that during the pendency of the litigation either in this Court or in the Andhra Pradesh Administrative Tribunal in some of the cases the respondents have in fact been promoted as Head Masters taking into consideration the service rendered by each one of them prior to the transfer also. It is also brought to our notice that in one or two cases the respondents had even retired from service after serving as Head Masters. In the circumstances though the writ petitions are allowed, we are of the opinion that the amounts already paid to those respondents who were in fact promoted shall not be recovered if the respondents come to the conclusion that their promotion was not in accordance with law. But however it is open for the petitioners to revert such of those who were promoted pursuant to either interim direction of this Court or the Tribunal or otherwise after following the appropriate procedural law. No costs."

Registry is directed to append a copy of the abovementioned common judgment of this Court in Writ Petition No.14064 of 2002 and batch dated 31st January 2006 to this order.

J.Chelameswar, J

M.Venkateswara Reddy, J

mrk

6th March 2006.